

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 JAREAL EDWARDS,

4 *Petitioner,*

5 vs.

6 BRIAN WILLIAMS, et al.,

7 *Respondents.*
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2:14-cv-01858-GMN-GWF

ORDER

10 Petitioner has filed a *pro se* petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254
11 (ECF #1). However, petitioner has failed to submit an application to proceed *in forma pauperis* or pay
12 the filing fee. Accordingly, this matter has not been properly commenced. 28 U.S.C. § 1915(a)(2) and
13 Local Rule LSR1-2.

14 Thus, the present action will be dismissed without prejudice to the filing of a new petition in a
15 new action with an application to proceed *in forma pauperis* on the proper form with both an inmate
16 account statement for the past six months and a properly executed financial certificate.

17 The court notes that when petitioner submitted the petition for filing on November 5, 2014, the
18 Clerk sent him an application to proceed *in forma pauperis* along with instructions. Approximately
19 sixty days have now passed, and petitioner has failed to submit a completed application, or seek an
20 extension of time, or contact the court in any manner.

21 **IT IS THEREFORE ORDERED** that this action is **DISMISSED** without prejudice to the
22 filing of a new petition in a new action with a properly completed application form to proceed *in forma*
23 *pauperis*.

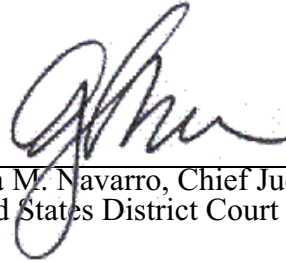
24 **IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**, as jurists of
25 reason would not find the court's dismissal of this improperly commenced action without prejudice to
26 be debatable or incorrect.

27 **IT IS FURTHER ORDERED** that the Clerk shall send petitioner two copies each of an
28 application form to proceed *in forma pauperis* for incarcerated persons and a noncapital Section 2254

1 habeas petition form, one copy of the instructions for each form, and a copy of the papers that he
2 submitted in this action.

3 **IT IS FURTHER ORDERED** that the Clerk shall **ENTER JUDGMENT** accordingly and
4 close this case.

5 **DATED** this 9th day of January, 2015.

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Gloria M. Navarro, Chief Judge
United States District Court